

**In the Claims:**

Please amend the claims as follows:

1. (previously presented) An isolated promoter sequence for the human telomerase RNA (hTR) gene, comprising at least 272 bp upstream and at least 69 bp downstream of a transcription start site of said hTR gene as shown in Fig 4a (SEQ ID NO: 36), which initiates transcription of DNA operably linked downstream of said promoter.
2. (previously presented) The isolated promoter sequence according to claim 1 wherein the promoter sequence is construct hProm505 as shown in Fig 4a (SEQ ID NO: 36).
3. (previously presented) The isolated promoter sequence according to claim 1 wherein the promoter sequence is construct hProm867 as shown in Fig 4a (SEQ ID NO: 36) upstream of the transcription start site.
4. (canceled)
5. (previously presented) The isolated promoter sequence according to claim 1 operably linked to a heterologous nucleic acid coding sequence or gene.
6. (previously presented) A nucleic acid construct comprising the isolated promoter sequence according to claim 1, operably linked to a heterologous gene.
7. (previously presented) The nucleic acid construct according to claim 6, wherein the heterologous gene encodes a cytotoxin.
8. (previously presented) A vector comprising the isolated promoter sequence according to claim 1.
9. (currently amended)[[ A]] An isolated host cell comprising the isolated promoter sequence according to claim 1.

10. (currently amended)[[ A]] An isolated host cell comprising the nucleic acid construct according to claim 6.

11–27. (canceled)

28. (currently amended)[[ A]] An isolated host cell comprising the nucleic acid construct according to claim 7.

29. (canceled)

30. (new) The isolated promoter sequence according to claim 1 wherein the promoter sequence is construct hProm697 as shown in Fig 4a (**SEQ ID NO: 36**).

31. (new) The isolated promoter sequence according to claim 1 wherein the promoter sequence is construct hProm341 as shown in Fig 4a (**SEQ ID NO: 36**).

32–44. (canceled)

45. (new) The nucleic acid construct according to claim 6, wherein the heterologous gene encodes an enzyme capable of converting a prodrug to an active compound.